

State Bar of California International Law Section
in association with the ABA International
Human Rights Committee

invite you to attend

U.S. COURTS AS ARBITERS OF GLOBAL HUMAN RIGHTS

The State Bar of California International Law Section and the ABA Section of International Law & Practice Human Rights Committee invite you to attend a program exploring recent developments in human rights litigation under the Alien Tort Claim Act, the Torture Victim Protection Act and the terrorist exception to the Foreign Sovereign Immunities Act.

Saturday, September 14, 2002
8:30 a.m. to 5:00 p.m.

Alumni Reception Center
Hastings College of the Law
200 McAllister Street
San Francisco, CA

8 hours MCLE credit + 1 hour Ethics Tape (Self Study)

U.S. COURTS AS ARBITERS OF GLOBAL HUMAN RIGHTS

Registration: 8:00 a.m.

Our honored speakers include:

Judith Chomsky,

Cooperating attorney with the Center for Constitutional Rights. Ms. Chomsky will address the *Wiwa v. Royal Dutch Petroleum* decision on forum non conveniens and its implications for the use of international law norms in ATCA cases.

Sandra Coliver,

Executive Director of Center for Justice and Accountability. Ms. Coliver will discuss the impact of ATCA and TVPA lawsuits brought against human rights abusers who live in or visit the United States and what the INS and DOJ can and have done to prosecute and/or deport them. Ms. Coliver will also address the legal challenges involved in establishing the "command responsibility" of human rights abusers under the ATCA and TVPA.

Terry Collingsworth,

General Counsel of the International Labor Rights. Mr. Collingsworth will be discussing whether private parties can be liable under the ATCA, and how to reconcile this with the "state action" requirement that has been engrafted on the statute by analogy to section 1983 cases.

Richard Herz,

Litigation Director with EarthRights International. Mr. Herz will discuss recent developments in international law relating to human rights and the environment, including massive environmental degradation claims under the ATCA and the reception and treatment these claims are receiving by the courts that have heard them thus far.

Kristin Linsley Myles,

San Francisco litigation attorney and partner with Munger, Tolles & Olson LLP. Ms. Myles will discuss doctrinal and evidentiary difficulties associated with attempts to identify actionable conduct under current tests for ATCA liability, including requirements that an actionable norm of international law be certain, universal, and obligatory.

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Ellen Borgersen,

San Francisco attorney, of counsel and former partner at Morrison & Foerster and a former professor and associate dean of the Stanford Law School. Ms. Borgersen will discuss her work on the *Sarei v. Rio Tinto* case and a work-in-progress tentatively titled "The Role of the U.S. Judge in Public International Law Litigation." She emphasizes a procedural perspective on the ATCA phenomenon, including a main doctrinal argument of exhaustion of national remedies.

Steven R. Perles,

Washington D.C. sole practitioner specializing in FSIA litigation. Mr. Perles will discuss the use of civil remedies by victims of terrorism as a counter terrorism tool. Civil liability targets the sponsors of the events not the terrorists. Holding sponsors of terrorism vicariously liable for terrorist acts places the assets of the sponsors at risk and will deter state and private sponsors from contributing to terrorist organizations.

Mike Rubin,

San Francisco attorney specializing in ATCA and related claims. Mr. Rubin will discuss his work in the Saipan sweatshop litigation, the Japanese World War II slave labor cases, and the Reddy human rights litigation, and will talk about the evolving outer boundaries of conduct covered by the ATCA -- i.e., how are courts and litigants determining what conduct is covered by the Act or beyond its scope, and when ATCA claims can go forward without a state action component.

MODERATOR:

Russell Kerr,

Secretary of State Bar of California International Law Section & Vice Chair of American Bar Association Section of International Law & Practice Human Rights Committee.

*The State Bar of California Section
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REGISTRATION FORM

U.S. COURTS AS ARBITERS OF GLOBAL HUMAN RIGHTS

Saturday, September 14, 2002

Hastings College of the Law, San Francisco, CA

*Note: One registrant per form.
Photocopies may be used.*

Name: _____

Bar Number: _____

Firm: _____

Address: _____

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Phone: _____ Fax: _____

E-mail Address: _____

Registration Fees (must be received by Friday, September 6, 2002)

Please check the appropriate box below:

- | | |
|--|-------|
| <input type="checkbox"/> Int'l. Law Section & ABA Section of Int'l. Law & Practice Members | \$150 |
| <input type="checkbox"/> Non-Section/Committee Member | \$185 |
| <input type="checkbox"/> Law Students | \$45 |

Registration fee may be paid by check, money order or credit card (VISA and Master Card only). Please make checks payable to The State Bar of California.

Amount Enclosed /

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Registration MUST BE RECEIVED BY FRIDAY, SEPTEMBER 6, 2002

REGISTRATION INFORMATION

DEADLINE

In order to pre-register, your form and check, payable to the State Bar of California, or credit card information **MUST BE RECEIVED BY 9/6/02.**

MAIL TO

Program Registrations, State Bar of California, 180 Howard St., San Francisco, CA 94105

Or

FAX TO

Program Registrations at 415.538.2368. In order to fax your registration, credit card information is **MANDATORY.** (VISA or MASTERCARD only)

CANCELLATIONS/REFUNDS

Cancellations and requests for refunds must be received in writing by September 6, 2002. Substitute registrants are allowed but must register in their own name at the meeting to receive MCLE credit.

ON-SITE REGISTRATION is limited and subject to availability. Please register in advance.

NO CONFIRMATION LETTER will be sent. You must check in at the Registration Desk before the program.

SPECIAL ASSISTANCE

For special assistance please call 415.538.2210; for TDD speech and hearing impaired, please call 415.538.2231.

QUESTIONS

For registration information please call 415.538.2508.
For information regarding the program please call 415.538.2380.

AUDIO CASSETTES will be available for purchase after the program from the Versa-Tape Company. Tapes can be purchased at the Versa-Tape table or by calling 800.468.2737.

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